

110TH CONGRESS  
2D SESSION

# S. RES. 709

Expressing the sense of the Senate that the United States should pursue the adoption of bluefin tuna conservation and management measures at the 16th Special Meeting of the International Commission on the Conservation of Atlantic Tunas.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2008

Mr. KERRY (for himself, Ms. SNOWE, Mrs. BOXER, Ms. CANTWELL, Mr. REED, Mr. INOUE, and Mr. WHITEHOUSE) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 20, 2008

Committee discharged; considered and agreed to

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# RESOLUTION

Expressing the sense of the Senate that the United States should pursue the adoption of bluefin tuna conservation and management measures at the 16th Special Meeting of the International Commission on the Conservation of Atlantic Tunas.

Whereas Atlantic bluefin tuna fishery is valuable commercially and recreationally in the United States and many other countries;

Whereas the International Convention for the Conservation of Atlantic Tunas entered into force on March 21, 1969;

Whereas the Convention established the International Commission for the Conservation of Atlantic Tunas to coordinate international research and develop, implement, and enforce compliance of the conservation and management recommendations on the Atlantic bluefin tuna and other highly migratory species in the Atlantic Ocean and the adjacent seas, including the Mediterranean Sea;

Whereas in 1974, the Commission adopted its first conservation and management recommendation to ensure the sustainability of Atlantic bluefin tuna throughout the Atlantic Ocean and Mediterranean Sea, while allowing for the maximum sustainable catch for food and other purposes;

Whereas in 1981, for management purposes, the Commission adopted a working hypothesis of 2 Atlantic bluefin tuna stocks, with 1 occurring west of 45 degrees west longitude (hereinafter referred to as the “western Atlantic stock”) and the other occurring east of 45 degrees west longitude (hereinafter referred to as the “eastern Atlantic and Mediterranean stock”);

Whereas, despite scientific recommendations intended to maintain bluefin tuna populations at levels that will permit the maximum sustainable yield and ensure the future of the stocks, the total allowable catch quotas have been consistently set at levels significantly higher than the recommended levels for the eastern Atlantic and Mediterranean stock;

Whereas despite the establishment by the Commission of fishing quotas based on total allowable catch levels for the eastern Atlantic and Mediterranean bluefin tuna fishery that exceed scientific recommendations, compliance with such quotas by parties to the Convention that harvest that stock has been extremely poor, most recently with

harvests exceeding such total allowable catch levels by more than 50 percent for each of the last 4 years;

Whereas insufficient data reporting in combination with unreliable national catch statistics has frequently undermined efforts by the Commission to assign quota overharvests to specific countries;

Whereas the failure of many Commission members fishing east of 45 degrees west longitude to comply with other Commission recommendations to conserve and control the overfished eastern Atlantic and Mediterranean bluefin tuna stock has been an ongoing problem;

Whereas the Commission's Standing Committee on Research and Statistics noted in its 2006 report that the fishing mortality rate for the eastern Atlantic and Mediterranean stock may be more than 3 times the level that would permit the stock to stabilize at the maximum sustainable catch level, and continuing to fish at the level of recent years "is expected to drive the spawning biomass to a very low level" giving "rise to a high risk of fishery and stock collapse";

Whereas the Standing Committee's 2008 report recommended that the annual harvest levels for eastern Atlantic and Mediterranean bluefin tuna be reduced from 32,000 metric tons to 15,000 metric tons or less to halt decline of the resource and initiate rebuilding;

Whereas the Standing Committee has stated that time and area closures could greatly facilitate the implementation and monitoring of rebuilding strategies and recommended a closure of the Mediterranean Sea in May, June, and July, as well as a minimum size limit of 25 kilograms;

Whereas in 2006, the Commission adopted the “Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the eastern Atlantic and Mediterranean” containing a wide range of management, monitoring, and control measures designed to facilitate the recovery of the eastern Atlantic and Mediterranean bluefin tuna stock;

Whereas the Recovery Plan is inadequate and allows overfishing and stock decline to continue, and initial information indicates that implementation of the plan in 2007 by many eastern Atlantic and Mediterranean bluefin tuna harvesting countries has been poor;

Whereas since 1981, the Commission has adopted additional and more restrictive conservation and management recommendations for the western Atlantic bluefin tuna stock, and these recommendations have been implemented by Nations fishing west of 45 degrees west longitude, including the United States;

Whereas despite adopting, fully implementing, and complying with a science-based rebuilding program for the western Atlantic bluefin tuna stock by countries fishing west of 45 degrees west longitude, catches and catch rates remain very low;

Whereas many scientists believe that mixing occurs between the western Atlantic bluefin tuna stock and the eastern Atlantic and Mediterranean stock, and as such, poor management and noncompliance with recommendations for one stock are likely to have an adverse effect on the other stock; and

Whereas additional research on stock mixing will improve the understanding of the relationship between eastern and

western bluefin tuna stocks and other fisheries, which will assist in the conservation, recovery, and management of the species throughout its range: Now, therefore, be it

1       *Resolved*, That it is the sense of the Senate that the  
 2 United States delegation to the 16th Special Meeting of  
 3 the International Commission for the Conservation of At-  
 4 lantic Tunas, should—

5           (1) pursue a meaningful assessment of Commis-  
 6 sion member compliance with the “Recommendation  
 7 by ICCAT to Establish a Multi-Annual Recovery  
 8 Plan for Bluefin Tuna in the eastern Atlantic and  
 9 Mediterranean” (Recommendation 06–05), including  
 10 seeking detailed explanations from Commission  
 11 members that have failed to effectively implement  
 12 the terms of the recommendation;

13          (2) pursue the adoption by the Commission of  
 14 measures designed to eliminate non-compliance, in-  
 15 cluding, as appropriate, deducting a portion of a fu-  
 16 ture quota for a party to compensate for such party  
 17 exceeding its quota in prior years, and where appro-  
 18 priate, steps should be taken to link non-compliance  
 19 with reductions in fishery or market access;

20          (3) seek a temporary suspension of the eastern  
 21 Atlantic and Mediterranean bluefin tuna fishery, in-  
 22 cluding all trade, if significant progress toward es-  
 23 tablishing science-based management measures, im-

1       proving monitoring and control measures, and ad-  
2       dressing compliance issues is not made at the Com-  
3       mission this year;

4           (4) seek to strengthen the conservation and  
5       management of the eastern Atlantic and Mediterra-  
6       nean bluefin tuna by making recommendations to  
7       halt the decline of the stock and begin to rebuild it,  
8       including reducing annual harvest levels so that they  
9       do not exceed recommendations of the Standing  
10      Committee and expanding the time and area closure  
11      for the Mediterranean purse seine fleet to include  
12      May, June, and July; and

13          (5) pursue additional research on the relation-  
14      ship between the western Atlantic and eastern At-  
15      lantic and Mediterranean bluefin tuna stocks and  
16      the extent to which the populations intermingle.

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